

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Commonwealth Edison Company

**Petition for Statutory Approval of a
Smart Grid Advanced Metering
Infrastructure Deployment Plan
Pursuant to Section 16-108.6 of the
Public Utilities Act**

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Docket No. 12-0298

REPLY BRIEF OF THE STAFF

OF THE ILLINOIS COMMERCE COMMISSION

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Staff of the Illinois Commerce Commission (“Staff”), by and through its counsel, pursuant to Section 200.800 of the Rules of Practice (83 Ill. Adm. Code 200.800) of the Illinois Commerce Commission (“Commission”), respectfully submits its Reply Brief in the above-captioned matter.

I. INTRODUCTION

In addition to Staff and Commonwealth Edison Company (“ComEd”), the following parties submitted Initial Briefs (“IBs”) in this matter: The City of Chicago (“City”), AARP, Comverge, Inc. (“Comverge”) and the People of the State of Illinois (“AG”). The Citizens Utility Board (“CUB”) and the Environmental Law and Policy Center (“ELPC”) (together “CUB/ELPC”) filed a Joint Initial Brief.

Aside from issues addressed in this Reply Brief, Staff stands by the positions articulated in Staff’s IB. Failure to address a specific issue in this Reply Brief does not constitute a change of position from Staff’s IB.

II. OVERVIEW OF SECTION 16-108.6 OF THE PUBLIC UTILITIES ACT

III. COMED AMI PLAN PROPOSAL

A. Informational Requirements

- 1. Statement of Smart Grid AMI Vision**
- 2. Statement of Smart Grid AMI Strategy**
- 3. Deployment Schedule and Plan**
- 4. Annual Milestones and Metrics**
- 5. Consumer Education Plan**

B. Technical Criteria (NIST Standards for Smart Grid Interoperability, Cyber Security, and Privacy of Personal Information Protections)

C. Cost Benefit Analysis

IV. CUB'S PROPOSED MODIFICATIONS

A. Distributed Generation

CUB/ELPC recommends that the Commission re-open the rulemaking process for the distributed generation interconnection rules in order to eliminate barriers to market entry for distributed generation investments. (CUB/ELPC IB, p. 24) Staff opposes this recommendation because it is unsupported by evidence, is outside the scope of this docket, and the relief CUB/ELPC seeks is more properly sought by petitioning the Commission under Section 200.210 of the Commission's Rules (83 Ill. Adm. Code 200.210) to amend the existing distributed generation interconnection rules.

CUB/ELPC states that the Energy Infrastructure Modernization Act ("EIMA") expressly calls for benefits from distributed generation to accrue to ComEd's customers. (CUB/ELPC IB, p. 22) CUB/ELPC asserts that ComEd's customers are unlikely to maximize the potential from distributed generation investments because of several

barriers to market entry, in particular the review and study process required under the Illinois Administrative Code. (*Id.*, p. 23) CUB/ELPC argues:

While the reliability of ComEd's is certainly very important, a de facto policy requiring any sized system on the network grid to go through a time-consuming, unpredictable and potentially expensive process could derail most projects on the network grid, and definitely smaller systems such as residential and small commercial rooftop systems – the very types of investments the EIMA seeks to facilitate. *Id.* Requiring repeated studies of similarly situated interconnection requests seems to discourage adoption of distributed generation in those dense, urban areas on the network grid without serving the end goal of reliability. *Id.* at 16.

(*Id.*, p. 24)

CUB/ELPC concludes that the Commission should address this barrier by re-opening the rulemaking process for distributed generation interconnection rules with the aim of incorporating best practices for streamlining the distributed generation approval and interconnection process. (*Id.*) CUB/ELPC further states that, at a minimum, customers should have the option to pay for an incremental level of study instead of paying for a completely new study. (*Id.*)

The Commission should reject CUB/ELPC's recommendation. CUB/ELPC has provided no support for their argument that the current distributed generation interconnection rules hinder investment in distributed generation in any way. CUB/ELPC's theory regarding the administrative rules for distributed generation interconnection is exactly that, a theory, wholly unsupported by any evidence. Further, CUB/ELPC's recommendation is entirely outside the scope of this docket. As Section 16-108.6(c) provides, the sole concern of the order in this proceeding is the approval or approval with modifications of ComEd's AMI Plan if the Commission finds that the Plan meets the informational, technical and cost beneficial requirements of Section 16-108.6.

(220 ILCS 5/16-108.6(c)) The administrative rules for distributed generation interconnection are clearly irrelevant to those findings. Finally, Staff notes that if CUB/ELPC believes that the current distributed generation interconnection rules do indeed operate as a barrier to market entry, then the more proper avenue by which to seek relief would be to petition the Commission under Section 200.210 of the Commission's rules (83 Ill. Adm. Code 200.210) for the amendment of the distributed generation interconnection rules.

B. Rate Options

V. CONCLUSION

WHEREFORE, for all the above reasons, Staff of the Illinois Commerce Commission respectfully requests that the Commission's Order in this proceeding reflect all of Staff's recommendations in Staff's Initial Brief and Staff's Reply Brief in this Docket

Respectfully submitted,

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